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NOTICE OF PUBLIC HEARING

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STATE OF KANSAS)) SS:
COUNTY OF RILEY)

TO: Property owners of Riley County and all other persons concerned:

Public notice is hereby given that the Manhattan Urban Area Planning Board requests the following amendment to the Zoning Regulations of Riley County to provide for more efficient and equitable administration.

RILEY COUNTY ZONING REGULATIONS

SECTION 15 – SIGNS AND EXTERIOR LIGHTS

Amend as follows: (Additions are in italics, deletions are struck out)

1. No sign, except those specifically exempted within this Section 15, shall be constructed, reconstructed, remodeled, enlarged or otherwise structurally modified or relocated on any land or structure without first obtaining an approved permit from the County Zoning Officer (as per Section 21). Applications for sign permits shall include a description and illustration of the location, dimensions, color, lighting and other details of the proposed sign. Applications for sign permits shall be accompanied by letters, leases or other documented evidence demonstrating that the applicant has permission or other established right to place the sign at the proposed location. No sign permit shall be issued for a sign which is subject to the regulations of the Kansas Department of Transportation, Bureau of Right-of-Way, Division of Billboard and Salvage Control unless prior approval is obtained from that agency. *Highways in Riley County subject to state sign regulations are Interstate 70, U.S. 24, U.S. 77, K-16, K-18, K-82, K-113, K-114 and K-177.*
2. Signs not conforming to this regulation which were existing at the time of the adoption of this regulation and were permitted under previously issued sign permits or were a lawful non-conforming use may remain in existence as a lawful non-conforming use provided that they are maintained in accordance with the provision herein ~~and further provided that an application for a sign permit renewal shall be submitted to the Zoning Officer not later than 3 years after the adoption of this regulation.~~

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3. A lawful non-confirming sign which is damaged, by any reason, beyond 50% of its assessed value shall not be reconstructed until a new sign permit has been applied for and issued.

4. For the purpose of this regulation the following terms shall be used to identify and classify various types of signs:

ADVERTISING SIGN (a.k.a. “Billboard”) – A *commercial* sign which directs attention to a business, product or service, *or entertainment conducted*, sold or offered at a location other than the ~~lot premises or structure upon~~ on which the sign is located.

ADVERTISING SIGN, DIGITAL (a.k.a. “Digital Billboard”) - A *type of advertising sign that electronically changes the fixed display screen composed of a series of lights, including light emitting diodes, fiber optics, or other similar technology and which includes computer programmable, microprocessor controlled electronic, or digital displays of electronic images, graphics, or pictures, with or without textual information.*

BULLETIN BOARD SIGN - A sign which gives the name of the institution or organization on whose premises it is located and which may include the names of persons associated with the institution or organization and announcements and messages pertaining to activities thereof.

BUSINESS SIGN - A sign which directs attention to a business or service sold or offered at the location of the lot or structure upon which the sign is located.

IDENTIFICATION SIGN - A sign denoting only the name and address of a building or establishment upon whose premises the sign is located or a sign denoting only the name of a neighborhood or development wherein the sign is located.

NAMEPLATE - A sign giving the name and address of the occupant of a building or premises on which it is located.

REAL ESTATE SIGN - A sign pertaining to the sale or lease of land or structures on which it is located.

SUBDIVISION IDENTIFICATION SIGN - A sign identifying the name of a neighborhood or development wherein the sign shall be located.

5. All signs, whether new or existing, shall be kept adequately painted and in good structural repair at all times. The area under and adjacent to a post-mounted sign shall be kept neatly mowed and otherwise maintained. Non-compliance with these requirements shall be cause for the Zoning Officer to order the sign removed after 15 days following written notice to the owner of such non-compliance. Non-compliance with these requirements shall also be cause for the denial of an application for a sign permit renewal.
6. No sign shall be so located, designed, colored or lighted so as to be confused with or obscure or obstruct any traffic control sign or otherwise tend to confuse or

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mislead traffic. No sign shall be placed closer than 100 feet from the intersection of the right-of-way lines of intersecting streets or roads.

7. Illuminated signs shall have the light shaded so as to prevent the casting of direct light on any residential property or trafficway. No flashing, rotating or otherwise moving signs and no signs lighted in such a way as to create the illusion of movement shall be located in any residential or commercial district. Any illuminated sign located within 150 feet of an existing dwelling or residential district shall not be lighted between the hours of 11:00 p.m. and 7:00 a.m.
8. The following signs shall be exempt from all regulations in this Section:
 - a. Flags or emblems of a governmental, civic, philanthropic, educational or religious agency, when displayed on private property.
 - b. Traffic, regulatory, instructional and safety signs of a governmental agency.
 - c. Address numerals and any other signs required by law or governmental regulations.
 - d. Informational and directional signs not more than *five (5)* square feet in area used to direct the public to entrances, exits, parking lots, restrooms, etc. on private property.
 - e. Scoreboards on athletic fields.
9. The following signs may be erected without obtaining a sign permit, but shall comply with all regulations herein:
 - a. Nameplate signs not exceeding *two (2)* square feet in area accessory to single family or two-family dwellings.
 - b. Identification signs not exceeding 40 square feet in area accessory to a multiple family dwelling.
 - c. Bulletin board signs not exceeding 40 square feet in area accessory to churches, schools or public or non-profit institutions.
 - d. Business signs located on land used for agriculture purposes pertaining to the sale of products produced on that land.
 - e. Real estate signs and signs pertaining to a structure under construction, all of a temporary nature, located on private property. Maximum sign area shall be 40 square feet.
10. The following signs are permitted within the districts as stated below, subject to all requirements and regulations stated within this ~~article~~ *Section 15* and further subject to all applicable State and Federal regulations and controls.

Residential Districts:

- a. One sign per lot or dwelling.
- b. Bulletin board sign, maximum 40 square feet.
- c. Nameplate sign, maximum *two (2)* square feet.
- d. Identification sign, maximum 40 square feet.

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- e. Real estate sign.
- f. Temporary construction sign.
- g. Minimum setback from any lot line = 15 feet.
- h. No sign illumination except indirect lighting of bulletin board signs.
- i. Subdivision Identification Signs
 - 1) Minimum setback from any lot line = 5 feet.
 - 2) Maximum height shall not exceed *six (6) feet* above ground elevation.
 - 3) Signs shall not be located in the visual sight triangle and all sign locations shall be approved by the County Engineer.
 - 4) Signs shall not have more than *two (2)* sign faces and each face shall not exceed 40 square feet fronting on a public trafficway.
 - 5) Maximum number of signs shall be two per subdivision entrance.
 - 6) Sign lighting, if used, shall not produce glare or other traffic hazards and shall not have direct lighting to produce an annoyance to adjacent residential areas and shall be exempt from Paragraph 7 of the Sign Regulations.

Commercial Districts:

- a. Two signs per lot or business.
- b. Any sign defined herein except Advertising Sign.
- c. Sign area shall not exceed *one (1)* square foot per lineal foot of lot facing street or in shopping center district, 50 square feet.
- d. No minimum setback, but sign must be located on private property.

Industrial Districts:

- a. Any sign defined herein.
- b. *An advertising sign shall not be allowed unless there is an operating industrial use located on the premises. The advertising sign shall be removed upon the discontinuance of the industrial use.*
- ~~c.b.~~ No maximum number of signs, but a minimum of 400 feet shall be maintained between signs.
- ~~d.e.~~ Minimum setback from any lot line = 15 feet.

Agricultural and Floodplain Districts:

- a. Any sign defined herein except advertising signs.
- b. No maximum number of signs, but a minimum of 400 feet shall be maintained between signs.
- c. Minimum setback from any lot line or right-of-way line = 15 feet.

Planned Unit Development Districts:

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- a. *Any sign defined herein is permitted; however, All matters pertaining to signs shall be included in and approved as a part of the development plan. An advertising sign shall only be permitted in a commercial or industrial planned unit development and shall not be allowed unless there is an operating business or industry located on the premises. A condition shall be added to the development plan that requires the removal of the sign and associated structures upon the discontinuance of the business or industry. A planned unit development shall not be used to alter the minimum requirements for advertising signs.*

University Development Districts:

- a. ~~No restrictions~~ *Any sign defined herein except advertising signs.*

~~11. Deleted March 30, 1995~~

- ~~13.12.~~ **Exterior Lighting:** No use permitted under these regulations shall erect or cause to be erected any exterior lighting device or devices that are situated in such a manner that the light emitting equipment is visible from any public right-of-way or adjacent residential properties so as to create either a hazard or a nuisance.

14. Special Requirements for Advertising Signs

- a. *Configuration, size and appearance*
 - 1) *Advertising signs shall not be erected with sign faces which exceed 12 feet in height, 30 feet in length or 360 square feet in area, per facing, including border, trim and embellishments, but not including base apron, supports, and other structural members.*
 - 2) *The maximum size limitations shall apply to each sign facing.*
 - 3) *Two sign displays not exceeding 360 square feet each may be erected in back-to-back or V-type arrangement only. "Stacked" or "double decked" signs shall not be permitted. Back-to-back or V-type signs shall be treated as one structure with a maximum area of 360 square feet permitted for each side or facing. To be classified as "back-to-back" there must not be more than 10 feet between structures or faces, to allow for crossbracing. V-type signs shall be constructed so that the angle between the faces on a sign shall not exceed 24 degrees and the total distance between the open ends of the faces shall not exceed 10 feet;*
 - 4) *The area of any advertising sign structure shall be measured by the smallest square, rectangle, circle or combination thereof which will encompass the area of the sign display or displays.*
 - 5) *No part of an advertising sign shall extend more than 50 feet above the ground.*
 - 6) *Cutouts or extensions shall be permitted on legal conforming signs at a size not to exceed 30% of the size of the main display area, with a maximum extension of five (5) feet along the top edge, two (2) feet along the sides and one and one-half (1 ½) feet along the bottom of the main display area.*

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Cutouts or extensions shall not be permitted where the configuration and size requirements of this subsection will be exceeded.

- 7) Advertising sign faces shall not be divided into two or more individual signs.*
- 8) Advertising signs shall be of only the following structural types: ground, pole, or wall.*
- 9) Advertising signs that are pole signs shall be constructed using a unipole method and the pole shall be painted in Pantone color #465 or equivalent.*
- 10) Audio speakers or any form of pyrotechnics are prohibited in association with any advertising sign.*

b. Spacing

- 1) Advertising signs shall not be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device or to obstruct or physically interfere with a driver's view of approaching, merging or intersecting traffic.*
- 2) The minimum spacing between advertising signs shall be 800 feet radial distance measured from any part of the sign to the nearest portion of any part of any other advertising sign.*
- 3) Advertising signs shall be no closer than 200 feet to a residential district.*
- 4) Advertising signs shall be setback from all property lines and all right-of-way lines a minimum distance of 25 feet.*

c. Lighting

- 1) Advertising sign lighting shall be effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of any highway and shall not be of such intensity or brilliance to cause glare or to impair the vision of the driver of any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle.*
- 2) Advertising signs shall not be erected or maintained which are so illuminated that they obscure any official traffic sign, device or signal, or imitate or may be confused with any official traffic sign, device or signal.*
- 3) Lighting for advertising signs shall be constructed so that illumination is directed upward.*

15. Digital Advertising Signs

- a. To promote the goals of the Comprehensive Plan by enhancing traffic safety and community aesthetics, digital advertising signs, except those digital advertising signs existing at the time of the adoption of these regulations, shall be prohibited in the unincorporated areas of Riley County.*

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You are hereby notified that the Manhattan Urban Area Planning Board will also hold a public hearing concerning the aforesaid amendment. Said hearing is to be held Thursday, October 1, 2012 at 7:00 PM in the City Commission Meeting Room, City Hall, 11th & Poyntz, Manhattan, Kansas.

You are further notified that the Riley County Planning Board will hold a public hearing concerning the aforesaid amendment. Said hearing is to be held Monday, October 8, 2012 at 7:30 PM in the Commission Meeting Room, 1st Floor, Courthouse Plaza East, 115 North 4th Street, Manhattan, Kansas.

Manhattan Urban Area Planning Board
of Riley County, Kansas

Riley County Planning Board
of Riley County, Kansas

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 565-6464 for assistance.